

January 14, 2011

**Secretary of State (SOS) VoteCal Project
RFP SOS 0890-46 Addendum #3**

To All Interested Bidders:

The above referenced RFP is amended. In the event of a conflict in content between the State's electronically released document and the Bidder submitted document, the State's document will prevail. If the Bidder's submitted document contains unapproved content, their bid may be rejected.

The following RFP sections, attachments and components are impacted and are fully replaced with this addendum: Sections I, II, IV, V, VII, Appendix A, Attachment 1- Statement of Work, Exhibit 2 – Votecal System Tasks and deliverables, Attachment 6 – SOS Statement of Work Special Provisions and Glossary of Terms are affected. The attached document is a list of the changes.

New and changed text appears as tracked changes within each replacement RFP component.

The Bidder should carefully review the entire RFP Addendum for changes.

If you have questions please contact me via e-mail at: Regina.weary@dgs.ca.gov or by telephone at (916) 375-4554.

Sincerely,

/Signature on File/

Regina Weary
Procurement Official

Attachment

Section I	
F.	Revised Key Action due date for the Pre-Qualification Packages and delivery times revised.
Section II	
C.4	Revised language
C.5.c	Letter of Credit – deleted everything after the first sentence
Section III	No changes
Section IV	
	Revised VoteCal to VoteCal System throughout Section IV
B.	Revised language
D.	Revised language
E.1	Additional sentence added at the end of the paragraph
E.5.e	Revised language
E.5.f	Revised language
E.5.h	Changed heading to Votecal System Application Software Ownership and revised language
E.5.i	Changed heading to Hardware Ownership and revised language
E.5.j	Changed heading to Software Licenses and added new paragraph
Section V	
A.6	Revised language
B.	Revised language
Section VI	No changes
Section VII	
B.1	Phase IV – Testing revised language Deliverable # IV.5 Phase V – Pilot Deployment and Testing – revised language Deliverable V.6 Phase VII – First Year Operations and Closeout – revised language Deliverable VII.3
Section VIII	No changes
Section IX	No changes
Section X	No Changes
Appendix A	
Attachment 1	Statement of Work Revised VoteCal to VoteCal System throughout Attachment 1
11.a	Revised language
11.c	Revised language
11.f.2	Deleted the last sentence
12.a	Revised language
12.a.1.a	Deleted the word non-transferable
12.a.1.b	Combined paragraph b and c; revised language
12.a.5	Revised language
12.a.5.b	Revised language
12.a.5.b.1	Changed heading to Transfer of Ownership
12.a.5.b.1.a	Revised language
12.a.5.b.1.b	Revised language
12.a.5.b.1.c	Deleted paragraph (c)

12.a.5.b.8 Revised language

Attachment 1 Statement of Work – Exhibit 2

Revised VoteCal to VoteCal System throughout Exhibit 2

- C. Phase IV – Testing – revised language for Deliverable IV.5
Phase VI – Deployment and Cutover – revised language for Deliverable VI.7
Phase VII – First Year Operations and Closeout – revised language for Deliverable VII.3
- D. Revised language
- E. Deliverable I.4 – revised language
Deliverable I.5 – revised language
Deliverable II.1 – revised language
Deliverable II.3 – revised language
Deliverable II.4 – revised language
Deliverable II.8 – revised language
Deliverable III.6 – revised language
Deliverable VII.2 – revised language
Deliverable VII.3 – revised language

Attachment 6 Secretary of State Statement of Work Special Provisions

- 1.b Revised language
- 1.k Revised language
- 3.a Revised language
- 3.d Revised language
- 5.a.i Revised language
- 5.b Revised language
- 5.c Revised language

Glossary of Terms

Application System Software - Deleted the term and definition
Added the term Application Software and definition
OCIO – Updated Agency new title effective January 2011
Platform Software – revised definition
Added the term and definition for - VoteCal System
Added the term and definition for - VoteCal Solution
Added the term and definition for - VoteCal System Application Software

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RFP – Global Changes Impacting Multiple RFP Sections, Attachments and Exhibits

Reason for Change: Within multiple locations of the RFP, changes were made to clarify and standardize language related to the following topics:

- The **VoteCal System** includes **VoteCal Platform Software** and hardware as well as **VoteCal System Application Software** components;
- **Phase VII** (First Year Operations and Close-out) represents the final phase of the contract specified in the VoteCal RFP;
- Complete or final acceptance of the VoteCal System (including required final and updated documentation) occurs at the end of Phase VII;
- VoteCal System “ownership” transitions to SOS at the end of Phase VII unless provisions are made to contract with the Contractor for additional periods of VoteCal maintenance and operation (M&O);
- VoteCal System “ownership” includes: SOS obtaining possession of full and permanent rights to own, use, maintain, create derivative works from and modify all VoteCal System Application Software; and, licensing (or equivalent) for any third-party and commercially or publicly available Platform Software and hardware included within the VoteCal System and required to support the Contractor’s VoteCal solution.

Revision: Multiple RFP Sections, Attachments and Exhibits have been updated to include these clarifications and to standardize references. The RFP components most heavily impacted by this revised language include: Section IV, Attachment 1, Attachment 1 Exhibit 2, Attachment 6, and the Glossary. The remainder of this summary change listing may identify the specific sub-sections/paragraphs impacted by these clarifications in entries describing revisions to specific RFP components; however, each individual instance where language was standardized will not necessarily be identified in this change listing. As always, the replacement RFP components Bidders receive with addenda (including this one) highlight (“track”) all revision to facilitate Bidder review of all changes.

RFP Section I, Subsection I.F (Key Action Dates) (page I - 7)

Reason for Change: Revise the Key Action Date event step 5 (***Bidder pre-qualification packages due***) from 1/20/2011 to 1/24/2011 to allow Bidders additional time to review the information relayed in this Addendum. Also, revise the time due for Key Action Date entries that specify a time due (in addition to a date due) to 2 p.m. from 5 p.m. in order to minimize the likelihood of introducing potential problems for Bidders and State staff when the time due is the close of the business day.

Revision: Revised Date/Time due date for Key Action Date event step #5 to 1/24/2011 and revise the time due for Key Action Date event steps i5, 8, 9, 10 and 12 from 5 p.m. to 2 p.m.

RFP Section II, Subsection II.5.c (Letter of Credit) (page II - 5)

Reason for Change: A recent Bidder question underscored that Bidders might take the State’s routine **general proposal language** included in RFP Section II.5.c (Letter of Credit) to contradict an actual VoteCal administrative requirement for a Letter of Credit (requirement A7). RFP Section V.A.13 accurately describes an SOS requirement for Bidders to provide a Letter of Credit Intent with their pre-qualification package and proposals and that the Bidder awarded the VoteCal contract (Contractor) to provide a Letter of Credit at contract signing. The State’s general proposal language has been revised to remove any possible confusion with the actual VoteCal requirement.

Revision: The RFP’s **general proposal language** is revised in Section II.5.c to remove conditional language concerning the Letter of Credit. The language of the specific Letter of Credit general administrative requirement (A7) is unchanged (the requirement is retained).

RFP Section IV, Subsection IV.B (VoteCal Project Scope) (pages IV – 1 thru 2)

Reason for Change: Revised this subsection to clarify the State’s intention to own the VoteCal System at the end of Phase VII and to define *what that means* with respect to the components comprising the VoteCal System, particularly the VoteCal System Application Software and third-party software integrated into the VoteCal system or “solution.” This subsection is also revised to clarify that the “components”

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discussed in Table IV.1 and related narrative are not actual system components --- not actually discrete technical components or parts of the system --- but instead represents one way of dividing up or “thinking about” the VoteCal functionality. The description of the functional components provided in this RFP section is intended to help Bidders understand VoteCal requirements only. This entire RFP section also includes revisions to clarify that Phase VII (First Year Operations and Close-out) is the period of time when ownership transfers to the State (e.g., ownership of the VoteCal System Application software as well as transfer of relevant licenses, etc.) and to use that reference consistently throughout the RFP.

Revision: Add clarifying language within pages 1 and 2 (and standardize on terminology throughout this RFP Section).

RFP Section IV, Subsection IV.E.1 (Summary) (page IV - 5)

Reason for Change: Consistent with SOS’ efforts to ensure that its intention to “own” the VoteCal, removed language about “reducing lifecycle cost” in case Bidders *might* interpret that language to suggest that the state does not intend to “own” the VoteCal System.

Revision: Language originally included in the last sentence of this subsection concerning the “life cycle cost of ownership” is deleted.

RFP Section IV, Subsection IV.E.5 (VoteCal Implementation Services and Technical and Support Considerations) (pages IV – 12 thru 13)

Reason for Change: Revised multiple subsections relating the implementation and support of the VoteCal System to clarify the System is comprised of Platform as well as Application software and to reflect the state’s explicit intention to own the VoteCal System Application Software. Also revised a section that formerly addressed “Hardware and Third Party Software Ownership” (IV.E.5.h) so that it is entitled and addresses hardware considerations only and to add a new section to address Third Party and Platform software licenses. As discussed under the “global changes” change item at the beginning of the summary change listing, revisions to integrate standardized terminology for the period during which VoteCal ownership transitions from the Contractor to SOS are included in this subsection of the RFP (including ownership of the VoteCal System Application Software and all relevant licenses for Third-Party or Platform Software).

Revision: Change IV.E.5.e, IV.E.5.f, IV.E.5.g, and IV.E.5.h to clarify and/or reflect SOS’ intention to “own” VoteCal System, to break item IV.E.5.h into two separate sub-sections (one for hardware and one for software licenses, IV.E.5.i), and to describe the timing associated with transitioning VoteCal ownership/licenses. Multiple revisions to standardize on terms and definitions described in the “global changes” change item described at the beginning of this summary change listing.

RFP Section V, Subsection V.A.6 (Third-party Licensing) (page V-2)

Add slight clarification to second paragraph in this subsection to clarify that Contractor software licensing terms and conditions provided for Third-party licensing should not be in conflict with “any California Law” (in addition to not conflicting with or the State’s General Provisions - Third Party COTS General Provisions dated July 15, 2008). Revisions in this Section include several instances of standardizing on references to VoteCal System (as described in the “global changes” change item described at the beginning of this summary change listing).

Revision: Revise second sentence in second paragraph within RFP subsection V.A.6 (add “with any California Law” to existing language about Contractor’s Third-party licensing not conflicting with State’s General Provisions. Several changes to standardize reference to the VoteCal System in this Section.

RFP Section VII, Subsections VII.B.1 (VoteCal ... Deliverable Payments) (pages VII -1 thru 4)

Reason for Change: Revise the following sections of the table included in subsection VII.B1 describing VoteCal deliverables by phase to specifically identify each Phase/Step during which the VoteCal System Application source code is part of an identified deliverable.

Revision: Revise the following phase steps in the table to include delivery of VoteCal System Application source code: Phase IV (Testing), step IV.5; Phase V (Pilot Deployment & Testing), step V.6; Phase VI (Deployment and Cutover), step VI.7; and, Phase VII (First Year Operation and Close-out), step VII.3.

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RFP Section VII, Subsections Cost Table VII.3 (VoteCal System ... Support Costs) (page VII -7)

Reason for Change: Remove the “asterisk” and related language about SOS returning VoteCal-related software licenses to the Contractor in the event SOS elects to contract for additional 5-year period of maintenance and operation with the Contractor because that level of detail is not necessary and its terminology is inconsistent with attempts to standardize Phase/step terminology.

Revision: Revise the top of page VII-7 to remove asterisked item and associated sentence that reads, “SOS will provide the platform software after the Solution’s 1st year of Operations

RFP Attachment 1 (SOW) (paragraph 11.a, Deliverable Acceptance) (page 6)

Reason for Change: It is SOS’ intention that SOS will be allowed a minimum of ten (10) business days to review and accept/reject all Contractor deliverables *unless* otherwise mutually agreed to and documented in specific Deliverable Expectation Document (DEDs). While the RFP’s Attachment 1 Exhibit 2 (paragraph D, Deliverable Development) does specify this default ten business day review period for the State, Attachment 1 (SOW) specified a five (5) days as the default. To ensure the RFP is internally consistent, this section of the SOW is revised to specify ten (10) business days.

Revision: Change the statement asserting the default time allowed the State to review VoteCal Contractor deliverables from five to ten days. Change multiple references to “VoteCal” to “the VoteCal system.”

RFP Attachment 1 (SOW) (paragraph 11.c, Contractor Formal Submittal of Deliverables, page 7)

Reason for Change: This section of the RFP explicitly states that, unless otherwise permitted by the Project Management Plan, work on subsequent Deliverables may not proceed prior to the State’s formal Acceptance of the preceding Deliverables. Existing RFP language stating that, if Contractor elects to proceed with work on subsequent Deliverables prior to Acceptance of preceding Deliverables, is revised to explicitly state that no VoteCal team members other than Contractor staff may be involved in such work unless approved by the SOS Project Director and, that with or without the State’s approval, the Contractor will proceed with that work at Contractor’s sole risk and understanding Contractor may need to repeat previously performed work without additional State payment.

Revision: Change end of sentence paragraph in this subsection to clarify these terms.

RFP Attachment 1 (SOW) (paragraph 12, Software Provisions, page 9 - 16)

Reason for Change: This section is significantly revised to clarify the definition of Platform Software and VoteCal System Application Software, to more explicitly explain SOS’ intention to own the VoteCal System Application Software (inclusive of source code), and clarify related terms. Consistent with the “global changes” change item (above), this section includes multiple revisions to standardize upon the term “VoteCal System” whenever referring the complete solution the Bidders will propose to meet the VoteCal requirements.

Revision: Significant revisions to this entire paragraph (spanning multiple pages and sub-sections) to clarify terms and explicitly explain SOS’ intention to own the VoteCal System Application Software and source code. Make global changes throughout this RFP component to align with the changes described in the “global changes” change item at the start of this document.

RFP Attachment 6 (Special Provisions) - Throughout

Reason for Change: This section includes multiple revisions to align terms and definitions with those explained in the “global changes” change item explained at the top of this document.

Revision: Multiple instances throughout the document, clarify terms for VoteCal System and SOS’ intention to own the VoteCal System Application Software and source code.

End of VoteCal Addendum #3 – Summary Change Listing
